



666 Old Country Road | 9th Floor | Garden City, NY 11530  
Phone: 516.745.1122 | Fax: 516.745.0844

Attorneys At Law

The Woolworth Building | 233 Broadway | 5th Floor | New York, NY 10279  
Phone: 212.608.5445

[www.quadrinoschwartz.com](http://www.quadrinoschwartz.com)

Richard J. Quadrino | Evan S. Schwartz | Bruce A. Barket | William J. O'Mahony\*  
Nathaniel E. Burney | Amy B. Marion | Michail Z. Hack<sup>\*\*\*</sup>  
Harold J. Levy<sup>\*\*\*</sup> | Brad A. Schlossberg<sup>°</sup> | Scott M. Harrigan<sup>°</sup>

<sup>°</sup> Counsel <sup>\*</sup>Admitted in NY, NJ and Indiana <sup>\*\*</sup>Admitted in NY and NJ

Reply To:  
Garden City Office

November 17, 2011

**via ELECTRONIC FILING**

Magistrate Judge Robert M. Levy  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

RE: Government Employees Insurance Co., et al. v. Hollis Medical Care, et al.  
Civil Case No. 10-cv-4341 (ILG) (RML)

Dear Magistrate Judge Levy:

We represent Defendants Simon Davydov, Mikhail Davydov, Ruben Davydov, Emanuel David, Berta Nektalos, and Sophia David ("Management Defendants"). We submit this letter pursuant to Fed. R. Civ. P. 37 and Local Rule 37.3 in support of the Management Defendants' request that the Court order Mark Furman, Esq. and David Hsu, M.D. to comply with this Court's September 7, 2011 Order denying their motions to quash the subpoenae served upon them within seven (7) days or to appear in person before Your Honor and explain why they have failed to comply with the subpoenae.

As Your Honor may recall, the subpoenae requested that Dr. Hsu and attorney Furman produce: (1) the settlement agreement entered into between GEICO and Hollis Medical Care, P.C., Dr. David Hsu, and Elizabeth Goldstein (the "Settling Defendants"), (2) all documents constituting or memorializing the settlement of GEICO's claim against the Settling Defendants in this lawsuit, and (3) all documents exchanged between the Settling Defendants, or anyone acting on their behalf, and GEICO, or anyone acting on GEICO's behalf, concerning the settlement of this litigation. Copies of the subpoenae in question are annexed to the Management Defendants' August 24, 2011 opposition to the motion to quash and cross-motion to compel compliance (Document No. 67).

On September 7, 2011, Your Honor entered Orders denying the motions to quash (no document numbers assigned). Since then, counsel for the Management Defendants have made numerous attempts, by telephone and email, to secure compliance with these subpoenae, but have been unsuccessful.

Magistrate Judge Robert M. Levy  
November 17, 2011  
Page 2

Accordingly, the Management Defendants respectfully request that Your Honor enter an Order directing Mark Furman, Esq., and Dr. Hsu to produce all documents requested by the subpoenae within seven (7) days and to file affidavits attesting that they have made a thorough search of their files, computers, email systems, and any electronic storage systems within their possession and control and have produced all documents requested by the subpoenae or that they appear in person before Your Honor and explain why they have failed to do so.

Respectfully submitted,

QUADRINO & SCHWARTZ, P.C.

WJO:fm

By: /s/ William J. O'Mahony  
William J. O'Mahony

cc: All counsel of record via ECF